

A marked-up version showing the present amendments is attached as Appendix 1 (deleted text shown by bracketing and in bold font; new text shown by underlineation).

Priority claim:

The Office Action on page 2 points out that an application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification (37 CFR 1.78).

The transmittal papers for this application requested amendment of the specification to indicate the applications from which US priority is claimed (see item 17c). Applicants are further amending this sentence to include the US Patent No. for the nonprovisional parent application. Applicants submit that the application meets the requirements of 37 CFR 1.78 and that they are entitled to the priority benefits of the specified earlier applications.

Information Disclosure Statement (IDS):

Applicants acknowledge the Examiner's consideration of the IDS mailed on May 11, 2001. A Supplemental IDS is being filed concurrently herewith.

Specification:

The Office Action advises on the proper content of an abstract of the disclosure. Applicants respectfully submit that the abstract as filed is proper. Nonetheless, Applicants are amending the abstract to recite a preferred embodiment of the disclosed invention. This amendment is not intended to alter the scope of the present claims or the disclosed invention.

Claim Objections:

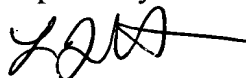
Claims 13 and 14 are objected to because of an informality, i.e., the presence of a colon in the claims that the Examiner states should be deleted. Applicants have deleted the colon from each of these claims. This amendment is not intended to alter the scope of the present claims.

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CONCLUSION

Applicants thank the Examiner for the detailed Office Action. Each of the issues raised by the Examiner have been addressed and overcome. Favorable consideration and allowance of the claims is earnestly solicited. If it would expedite the prosecution of this application, the Examiner is invited to confer with the Applicants' undersigned attorney.

Respectfully submitted,



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Appendix 1

Marked-up version of amendments to specification and claims made
January 23, 2002

Amendments to specification:

(abstract, once amended) This invention relates, in part, to newly identified methods of using quinolone antibiotics, particularly a gemifloxacin compound against certain pathogenic bacteria, including Mycoplasma bacteria, such as *Mycoplasma pneumoniae*.

(first sentence, twice amended) This is a divisional of US 09/399,855 filed September 21, 1999, now Patent No. U.S. 6,262,071, which claims benefit of Provisional Application 60/141,455 filed June 29, 1999.

Amendments to claims:

13. (once amended) The method of claim 12 wherein said bacteria is selected from the group consisting of [:] *Mycoplasma hominis* and *Mycoplasma fermentans*.

14. (once amended) The method of claim 12 wherein said bacteria is selected from the group consisting of [:] *Mycoplasma pneumoniae*, *Mycoplasma genitalium*, and *Mycoplasma penetrans*.